



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

**Legislative Reference.** The legislative sessions of 1914 and 1915 resulted in few radical changes in the general policy of legislative reference work. Four new legislative reference libraries were authorized by statute—in Arizona,<sup>3</sup> New Jersey,<sup>4</sup> North Carolina,<sup>5</sup> and Virginia;<sup>6</sup> and in New York, an act of 1915<sup>7</sup> created a separate legislative library under the control of the legislature which is however not intended to do legislative reference work. The Library of Congress has, for the last two years, been granted a specific appropriation of \$25,000 a year for legislative reference work for the members of Congress.<sup>8</sup>

In reviewing briefly the new state laws cited above, it is taken for granted that it is unnecessary to dwell on the accepted and familiar details of legislative reference work, the aim being to emphasize the points less generally embodied in the laws on the subject and to bring out any new phases introduced by recent legislation.

The Arizona law establishes a state library under a board of three curators appointed by the governor with the advice and consent of the senate, to serve for six years, a new member appointed biennially. The curators select a librarian with the title "law and legislative reference librarian," at a salary of \$2400 a year. The legislative reference bureau which the library is authorized to establish and maintain, constitutes the predominating feature of the library and the duties of the librarian as outlined are largely those of the average legislative reference librarian with specific duties as to,—the maintenance of a loose-leaf file of the statutes; digests of court decisions; compilations of the statutes in whole, or in part at the request of a head of a state department; formulation of plans for the arrangement and printing of the session laws; preparation of consolidations and revisions of laws for submission to the legislature; and bill drafting for the governor, heads of departments and members of the legislature. The library fund consists of the fees collected and paid into the state treasury by the clerk of the supreme court.

In New Jersey, \$1000 was appropriated to the state library, in both 1914 and 1915, to be expended for legislative reference work in the

<sup>3</sup> Laws, Reg. Ses., 1915, p. 134.

<sup>4</sup> Laws, 1914, p. 43, 44.

<sup>5</sup> Laws, 1915, p. 247.

<sup>6</sup> Laws, 1914, p. 313.

<sup>7</sup> Laws, 1915, p. 1447.

<sup>8</sup> Acts, 63d Congress, sess. 2, ch. 141, 1914, p. 463; sess. 3, ch. 141, 1915, p. 1005.

library. A separate statute of 1914 created the office of "legislative adviser and bill examiner," at a salary of \$1500, the incumbent to work in conjunction with the legislative reference department of the state library. Both appointment and power of removal are vested in the attorney-general but only a counselor at law is eligible to the office. The duties of the legislative adviser and bill examiner include: bill drafting, examination of bills, amendments, etc., to avoid repetition and unconstitutional provisions and to insure accuracy, clearness and consistency with existing statutes, and advice as to constitutionality, consistency or effect of proposed legislation.

The newly created legislative library of New York State is to be established and controlled by joint rules of the senate and house. The librarian and his two assistants are selected by the president of the senate and the speaker of the house, to serve until their successors are chosen in like manner. All the books, papers, records and documents of the previously existing senate and assembly libraries with all their equipment are transferred to the legislative library and it is presumably to the preservation and custody of this material that the duties of the new library are to be directed rather than to legislative reference work in the accepted meaning of the term. During any vacancy in the office of librarian, the assistant longest in service as a legislative employe, serves as librarian and receives his salary which is \$3600 a year. Assistants receive \$6 per day. The library is to be open the entire year.

The preamble to the North Carolina act authorizing the state historical commission to establish a legislative reference library, calls attention to the fact that thirty-four states have already demonstrated the usefulness and economy of such work. The librarian is appointed by the historical commission and his services are open to county and city officials as well as members of the general assembly and state offices on all questions of state, county and municipal legislation. One of his specified duties is to keep up to date the revision of the statutes of 1909. The annual appropriation for the library is \$5000. The North Carolina historical commission, created by an earlier statute, consists of not more than five members appointed by the governor as their various terms expire and each serving a period of six years.

In Virginia, the governor appoints the director of the legislative reference bureau, with the approval of the senate, to hold his office for five years unless the governor removes him for cause. The director

must be a graduate of a school of law of some college or university approved by the governor, have been a student of political science for at least twelve months and have had experience in bill drafting. The appointment must be made solely on the grounds of fitness for the office without reference to party affiliations. The director is enjoined from practicing law or engaging in any other occupation. He employs his assistants, selecting them for their fitness for the work, and fixes their compensation. Access to both law and state libraries is accorded the staff of the new bureau and the state librarian is authorized to assign any of the employes of the state library to the bureau during the session. The program of work outlined includes the usual assembling of a library, reference work and bill drafting for the governor and members of the legislature, all requests for the drafting of bills to be submitted in writing. During the session, the presiding officer of the two houses may determine what extra hours the bureau shall be kept open. \$5000 is the total annual appropriation and the salary of the director is fixed at \$2500.

In Pennsylvania,<sup>9</sup> the legislative reference department was authorized to continue its work of codifying the laws, with an appropriation of \$10,000 for the work.

A provision attached to the Nebraska appropriation act of 1915,<sup>10</sup> prohibits the Nebraska legislative reference bureau from drafting any bill or resolution except on the written request of a member or a committee.

A partial revision of the Vermont law<sup>11</sup> changes the two revisors of statutes to legislative draftsmen, appointed by the president of the senate and the speaker of the house, the chief justice of the supreme court to have the deciding vote in case of a disagreement. In place of the provision of 1912 that no bill could be acted upon by either house unless endorsed by the revisors of statutes, the legislative draftsmen assist in bill drafting only on request and perform for the legislature the duties of a committee on revision of bills only when by joint rules the legislature does not provide that such committee be otherwise constituted. The draftsmen meet for work during the legislature and the thirty days prior to the session and whenever called upon by the president of the senate and the speaker of the house. The draftsmen are authorized to employ, at the expense of the state,

<sup>9</sup> Laws, 1915, p. 475.

<sup>10</sup> Laws, 1915, p. 630.

<sup>11</sup> Laws, 1915, p. 74.

necessary clerical and stenographic assistance subject to the approval of the president of the senate and speaker of the house.

The submission of proposed initiative measures to the legislative reference department was made possible in Ohio by an act of 1914,<sup>12</sup> on the petition of ten electors. In California<sup>13</sup> a similar provision requires 25 signatures before the proponents of initiative legislation may submit their measures to the scrutiny of the legislative counsel bureau.

In the message of the governors delivered to the various state legislatures in 1915, Governor Hunt of Arizona recommended the creation of a bureau of municipal research; Governor Miller of Delaware expressed the desire that his State follow the example of New Jersey and appoint a bill examiner; Governor Dunne of Illinois in discussing the Illinois bureau created in 1913, dwelt particularly on the importance of its preparation of the budget; and Governor Byrne of South Dakota commended the work accomplished by the legislative reference department of the department of history. On the other hand, Governor Philipp of Wisconsin urged the abolition of the legislative reference library and an attempt, which proved a fiasco, was made by the legislature of 1915 to abolish the library along with similar attempts against the tax commission and the board of public affairs.

A small document from Massachusetts of interest in this connection is the report made to the governor and the board of trustees of the state library by the committee which recently visited Madison, Wis., to examine the Wisconsin legislative reference bureau and bill drafting department. For several years there has been contention in Massachusetts as to the advisability of establishing a legislative reference department in the state library and a bill drafting department for the use of the legislature. This report discusses the Wisconsin bureau with Massachusetts conditions in mind and includes in its recommendations the employment of a legislative reference librarian to act as assistant state librarian and the establishment of a bill drafting department under the direct control of the legislature. Nothing was accomplished, however, to put these recommendations into effect.

ETHEL CLELAND.

*Indiana Bureau of Legislative Information.*

<sup>12</sup> Laws, 1914, p. 120.

<sup>13</sup> Laws, 1915, p. 50.